

SENATE BILL No. 378

DIGEST OF INTRODUCED BILL

Citations Affected: IC 11-10-13.

Synopsis: Victim notification program. Establishes the automated victim notification system within the department of correction and permits a crime victim to register for the system by telephone. Provides that the system automatically notifies a registered crime victim by telephone when a committed offender's status changes or when the offender is released or has escaped. Allows a crime victim to obtain the most recent status of an offender by calling the automated system. Requires the department to update the automated victim notification system frequently. Provides that there is no cause of action based on the system's failure to notify. Requires the criminal justice institute to transfer \$500,000 to the department of correction for the start up costs of the automated victim notification system.

Effective: July 1, 2004.

Lubbers

January 12, 2004, read first time and referred to Committee on Judiciary.

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Introduced

Second Regular Session 113th General Assembly (2004)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2003 Regular Session of the General Assembly.

SENATE BILL No. 378

A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 11-10-13 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2004]:

4 **Chapter 13. Victim Notification Program**

5 **Sec. 1. The department shall establish an automated victim**
6 **notification system that must do the following:**

7 **(1) Automatically notify a registered crime victim when a**
8 **committed offender:**

9 **(A) is transferred or assigned to another facility within the**
10 **department;**

11 **(B) is transferred to a facility not operated by the**
12 **department;**

13 **(C) is given a different security classification;**

14 **(D) is released on temporary leave or otherwise;**

15 **(E) is discharged; or**

16 **(F) has escaped.**

17 **(2) Permit a crime victim to receive the most recent status**



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1 report for an offender by calling the automated victim
2 notification system on a toll free telephone number.

3 (3) Permit a crime victim to register or update the victim's
4 registration for the automated victim notification system by
5 calling a toll free telephone number.

6 Sec. 2. The notification of a crime victim by the automated
7 victim notification system satisfies the department's obligation to
8 notify the crime victim of an offender's release under IC 35-40-5-2.

9 Sec. 3. The department must ensure that the offender
10 information contained within the automated victim notification
11 system is updated frequently enough to timely notify a crime victim
12 that an offender has been released, has been discharged, or has
13 escaped. However, the failure of the automated victim notification
14 system to provide notice to the victim does not establish a separate
15 cause of action by the victim against the state or against the
16 department.

17 Sec. 4. Law enforcement officers shall cooperate with the
18 department in establishing and maintaining the automated victim
19 notification system.

20 Sec. 5. The department shall administer the automated victim
21 notification system. The costs of administering the system must be
22 paid with appropriations made to the department and from federal
23 grants and contracts.

24 SECTION 2. [EFFECTIVE JULY 1, 2004] The criminal justice
25 institute shall transfer to the department of correction five
26 hundred thousand dollars (\$500,000) from an appropriation the
27 criminal justice institute received under P.L.224-2003. The funds
28 shall be used for the startup costs of the automated victim
29 notification system established by IC 11-10-13, as added by this act.

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